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| I hereby certify that this correspondence is being electronically filed with the U.S. Patent and Trademark Office, Mail Stop AF, on the below date: | | |
| Date: April 17, 2008 | Name: G. Peter Nichols | Signature:  |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Craig Van Buuren

Appln. No.: 10/796,557

Filed: March 9, 2004

For: METHOD OF AND APPARATUS
FOR SIMULATING A
BIOLOGICAL HEAP LEACHING
PROCESS

Attorney Docket No: 10908/9

Examiner: Florito

Art Unit: 1754

Confirmation No. 1076

Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-COMPLAINT AMENDMENT (37 CFR 1.121)

Dear Sir:

This responds to the Office Action mailed April 8, 2008 (Notice of Non-Compliant Amendment (37 C.F.R. §1.121)) to correct the incorrect status of Claim 23.